

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

ZOHAR III, CORP., *et al.*,<sup>1</sup>

Debtors.

Chapter 11

Case No. 18-10512 (KBO)

Jointly Administered

ZOHAR CDO 2003-1, LIMITED; ZOHAR II  
2005-1, LIMITED; and ZOHAR III,  
LIMITED; ZOHAR II 2005-1, CORP.;

Plaintiffs,

v.

PATRIARCH PARTNERS, LLC;  
PATRIARCH PARTNERS VIII, LLC;  
PATRIARCH PARTNERS XIV, LLC;  
PATRIARCH PARTNERS XV, LLC;  
PHOENIX VIII, LLC; OCTALUNA LLC;  
OCTALUNA II LLC; OCTALUNA III LLC;  
ARK II CLO 2001-1, LLC; ARK  
INVESTMENT PARTNERS II, LP; ARK  
ANGELS VII, LLC; PATRIARCH  
PARTNERS MANAGEMENT GROUP, LLC;  
PATRIARCH PARTNERS AGENCY  
SERVICES, LLC; and LYNN TILTON,

Defendants, and

180S, INC.; BLACK MOUNTAIN DOORS,  
LLC; CROSCILL HOME, LLC; DURO  
TEXTILES, LLC; GLOBAL AUTOMOTIVE  
SYSTEMS, LLC; HERITAGE AVIATION,  
LTD.; INTREPID U.S.A., INC.; IMG  
HOLDINGS, INC.; JEWEL OF JANE, LLC;  
MOBILE ARMORED VEHICLES, LLC;  
SCAN-OPTICS, LLC; SILVERACK, LLC;  
STILA STYLES, LLC; SNELLING  
STAFFING, LLC; VULCAN

Adv. Pro. No. 20-50534

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<sup>1</sup> The Debtors, and, where applicable, the last four digits of their taxpayer identification number are as follows: Zohar III, Corp. (9612), Zohar II 2005-1, Corp. (4059), Zohar CDO 2003-1, Corp. (3724), Zohar III, Limited (9261), Zohar II 2005-1, Limited (8297), and Zohar CDO 2003-1, Limited (5119). The Debtors' address is 3 Times Square, c/o FTI Consulting, Inc., New York, NY 10036.

ENGINEERING, INC; and XPIENT  
SOLUTIONS, LLC,

Nominal Defendants.

**SUMMONS AND NOTICE OF PRETRIAL  
CONFERENCE IN AN ADVERSARY PROCEEDING**

YOU ARE SUMMONED and required to file a motion or answer to the complaint which is attached to this summons with the clerk of the bankruptcy court within 30 days after the date of issuance of this summons, except that the United States and its offices and agencies shall file a motion or answer to the complaint within 35 days.

Address of Clerk: 824 Market Street, 3<sup>rd</sup> Floor  
Wilmington, Delaware 19801

At the same time, you must also serve a copy of the motion or answer upon the plaintiffs' attorneys.

**Names and Addresses of Plaintiffs' Attorneys:**

YOUNG CONAWAY STARGATT &  
TAYLOR, LLP  
James L. Patton, Jr.  
Robert S. Brady  
Michael R. Nestor  
Joseph M. Barry  
Ryan M. Bartley  
Rodney Square  
1000 North King Street  
Wilmington, Delaware 19801  
Telephone: (302) 571-6600  
Facsimile: (302) 571-1253

If you make a motion, your time to answer is governed by Fed. R. Bankr. P. 7012.

YOU ARE NOTIFIED that a pretrial conference of the proceeding commenced by the filing of the complaint will be held at the following time and place.

**Address: United States Bankruptcy Court for the District of Delaware  
824 Market Street, 6th Floor, Courtroom No. 3  
Wilmington, Delaware 19801**

**Date and Time: TBD**

**IF YOU FAIL TO RESPOND TO THIS SUMMONS, YOUR FAILURE WILL BE DEEMED TO BE YOUR CONSENT TO ENTRY OF A JUDGMENT BY THE BANKRUPTCY COURT AND JUDGMENT BY DEFAULT MAY BE TAKEN AGAINST YOU FOR THE RELIEF DEMANDED IN THE COMPLAINT.**

**United States Bankruptcy  
Court for the District  
of Delaware**

/s/ Una O'Boyle  
*Clerk of the Court*

Dated: September 3, 2021



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PARTNERS MANAGEMENT GROUP, LLC;  
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TEXTILES, LLC; GLOBAL AUTOMOTIVE  
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ENGINEERING, INC; and XPIENT  
SOLUTIONS, LLC,

Nominal Defendants.

### **NOTICE OF DISPUTE RESOLUTION ALTERNATIVES**

As a party to litigation you have a right to adjudication of your matter by a judge of this Court. Settlement of your case, however, can often produce a resolution more quickly than appearing before a judge. Additionally, settlement can also reduce the expense, inconvenience, and uncertainty of litigation.

There are dispute resolution structures, other than litigation, that can lead to resolving your case. Alternative Dispute Resolution (ADR) is offered through a program established by this Court. The use of these services is often productive and effective in settling disputes. **The purpose of this Notice is to furnish general information about ADR.**

The ADR structures used most often are mediation, early-neutral evaluation, mediation/arbitration and arbitration. In each, the process is presided over by an impartial third party, called the “neutral.”

In mediation and early neutral evaluation, an experienced neutral has no power to impose a settlement on you. It fosters an environment where offers can be discussed and exchanged. In the process, together, you and your attorney will be involved in weighing settlement proposals and crafting a settlement. The Court in its Local Rules requires all ADR processes, except threat of a potential criminal action, to be confidential. You will not be prejudiced in the event a settlement is not achieved because the presiding judge will not be advised of the content of any of your settlement discussions.

Mediation/arbitration is a process where you submit to mediation and, if it is unsuccessful, agree that the mediator will act as an arbitrator. At that point, the process is the same as arbitration. You, through your counsel, will present evidence to a neutral, who issues a decision. If the matter in controversy arises in the main bankruptcy case or arises from a subsidiary issue in an adversary proceeding, the arbitration, though voluntary, may be binding. If a party requests *de novo* review of an arbitration award, the judge will rehear the case.

**Your attorney can provide you with additional information about ADR and advise you as to whether and when ADR might be helpful in your case.**

/s/ Una O’Boyle  
Clerk of the Court

Dated: September 3, 2021